be construed to refer solely to needy girls. The money is to be paid over upon marriage when presumably the girl's need for financial aid is greatest. A bequest "to the widows and orphans of Linfield" has been held charitable as a relief of poverty. *Atty.-Gen'l* v. *Comber*, 2 Sm. & St. 93. See also *Powell* v. *Atty.-Genl*, 3 Mer. 48; *Thompson* v. *Corby*, 27 Beav. 649. Likewise one for "deserving literary men who have not been very successful." *Thompson* v. *Thompson*, 1 Coll. 395. Yet all those bequests were in terms equally applicable to poor or rich. But compare *In re Sutton*, 28 Ch. D. 464; *Nichols* v. *Allen*, 130 Mass. 211.

CONSTITUTIONAL LAW — EQUAL PROTECTION OF THE LAWS — RIGHT OF WOMEN TO SAME CRIMINAL PENALTIES AS ARE IMPOSED ON MEN. — The defendant woman was convicted of keeping a liquor nuisance and committed to the state farm for women for an indeterminate period with a six months' maximum under a state statute. A man convicted of the same offense would have received a definite sentence with a six months' maximum. Defendant appeals from the penalty on the ground that the statute differentiating women violated the Fourteenth Amendment, guaranteeing equal protection of the laws. *Held*, that the statute is constitutional. *State* v. *Heitman*, 181 Pac. 630. (Kan.).

For a discussion of this case, see NOTES, p. 449.

CONSTITUTIONAL LAW — WORKMEN'S COMPENSATION ACTS — LIABILITY WITHOUT FAULT — FACIAL DISFIGUREMENT. — The plaintiff sustained, in the course of a hazardous employment, accidental injuries which resulted in serious facial disfigurement. He sued his employer under a New York statute providing for compensation by the employer for such disfigurement. (WORKMEN'S COMPENSATION LAW, § 15, subd. 13.) *Held*, that the plaintiff may recover. *New York Central R. R. Co.* v. *Bianc*, U. S. Sup. Ct., October Term, 1919, No. 374.

It is now well settled that employers may be stripped, by legislation, of common-law defenses, such as contributory negligence or assumption of risk, in suits by employees for injuries arising in the course of employment. *New York Central R. R. Co.* v. *White*, 243 U. S. 188; *Mountain Timber Co.* v. *Washington*, 243 U. S. 219. Furthermore, the employer may be made liable for accidental injuries in a hazardous industry, though morally not culpable. *Arizona Employers' Liability Cases*, 250 U. S. 400. See 33 HARV. L. REV. 86. Such changes of the common law are not arbitrary, since they merely shift the burden of human wastage to the industry which is responsible for it. See Eugene Wambaugh, "Workmen's Compensation Acts," 25 HARV. L. REV. 129. The amount of compensation may be determined with or without a jury, by prescribed scale or by jury estimate of actual loss. *New York Central R. R. Co.* v. *White*, *supra*; *Arizona Employers' Liability Cases*, *supra*. Usually the legislation takes as the basis for compensation the impairment of earning power. Disfigurement, especially of face, may well cause a loss of earning power, irrespective of its effect upon the mere capacity for work. *Ball* v. *Hunt & Sons, Ltd.*, [1912] A. C. 496. But even though a statute allows compensation for pain and disfigurement, in addition to that for loss of earning power, it is not unreasonable. *Arizona Employers' Liability Cases*, *supra*. Even at common law, where pain and suffering accompany physical injury from without, they may be considered as an element of damages. *U. S. Express Co.* v. *Wahl*, 168 Fed. 848; *Coombs* v. *King*, 107 Me. 376, 78 Atl. 468; *Patterson* v. *Blatti*, 133 Minn. 23, 157 N. W. 717. Accordingly, the principal case seems clearly correct in upholding the reasonableness of a statute allowing compensation for disfigurement alone, where caused by a hazard of the industry.

CORPORATIONS — DIRECTORS AND OTHER OFFICERS — LIABILITY OF PRESIDENT TO CORPORATION FOR SECRET PROFITS. — The defendant, the president of a corporation, in consideration of a bonus, secretly agreed with A to release